

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**SEVENTH DAY'S PROCEEDINGS**

**Thirty-first Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 4, 2005

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
Dewitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White

Erdey  
Fannin  
Farrar  
Total - 105

McVea  
Montgomery  
Morrell

Winston  
Wooton  
Wright

ABSENT

Total - 0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. McDonald.

**Pledge of Allegiance**

Rep. Winston led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Waddell, the Journal of May 3, 2005, was adopted.

**Petitions, Memorials and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SENATE BILLS**

May 4, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 92, 142, 153, 200, 250 and 316

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Ritchie, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions  
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 92—**  
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the Department of Social Services; to provide with respect to the office of community services and its role in providing for the public child welfare functions of the state; to provide with respect to preventive services to prevent child abuse and neglect and family strengthening and support services; to provide for an effective date; and to provide for related matters.

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Read by title.

### **SENATE BILL NO. 142—** BY SENATOR THEUNISSEN

#### AN ACT

To enact R.S. 33:4720.17(C)(4), 4720.31(C)(4), and 4720.47(D)(4), and R.S. 47:2183.1, relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide relative to a tax debtor or other person seeking to redeem such property; to require such person to pay certain costs incurred relative to a tax sale; to require such person to pay certain costs incurred during acquisition of adjudicated property from a political subdivision; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 153—** BY SENATOR MICHOT

#### AN ACT

To enact Code of Civil Procedure Art. 258, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 200—** BY SENATORS BAJOE, MURRAY, JACKSON, NEVERS AND SCHEDLER

#### AN ACT

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

### **SENATE BILL NO. 250—** BY SENATORS MOUNT, DARDENNE AND MURRAY

#### AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, and Act No. 141 of the 2003 Regular Session of the Legislature, relative to sales and use taxes; to provide for the continued exclusion from state and local sales and use taxes certain transactions concerning certain private and parochial elementary and secondary schools; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 316—** BY SENATOR MOUNT

#### AN ACT

To amend and reenact R.S. 47:1837.1(A)(1), (B)(1), (C), and (D), relative to the Louisiana Tax Commission; to require a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Read by title.

## **House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

### **HOUSE CONCURRENT RESOLUTION NO. 77—** BY REPRESENTATIVE M. POWELL AND SENATOR MALONE A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop, adopt, and submit to the legislature for its approval and funding a minimum foundation program formula for the 2006-2007 school year that requires at least seventy percent of local school system general fund monies to be expended at the school building level for instructional services and further requires at least sixty-five percent of the general fund monies to be spent at the classroom level for the instruction of students by teachers and instructional staff members; to provide for a report by the state board to the House and Senate education committees prior to the 2006 Regular Session relative to certain local school system expenditures; and to provide for related matters.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

### **HOUSE CONCURRENT RESOLUTION NO. 79—** BY REPRESENTATIVE BRUCE A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

Read by title.

Under the rules, the above resolution was referred to the Committee on Administration of Criminal Justice.

### **HOUSE CONCURRENT RESOLUTION NO. 80—** BY REPRESENTATIVE THOMPSON A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System to study the feasibility of establishing a university laboratory school on or near the campus of the University of Louisiana at Monroe and to report the study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

## **House Bills and Joint Resolutions on Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

### **HOUSE BILL NO. 2—** BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making

appropriations from certain sources; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 3—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 559—**

BY REPRESENTATIVE K. CARTER AND SENATOR MURRAY  
AN ACT

To enact Chapter 2-B-1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:334, relative to the sales and use tax; to provide for an additional state sales tax on hotel occupancy in Orleans Parish; to create the New Orleans Hospitality Fund as a special fund in the state treasury; to provide for the deposit and allowable use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 722—**

BY REPRESENTATIVE TRAHAN  
AN ACT

To enact Subpart N of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321 through 324, and R.S. 36:769(G), relative to the Louisiana Task Force on Public Employee Retirement; to create the task force and provide for purpose and legislative intent; to place the task force in the Department of the Treasury; to provide for membership; to provide for meetings; to provide for election of officers; to provide for staffing; to specify powers and duties; to provide for a reporting date; to provide for termination; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Retirement.

**HOUSE BILL NO. 728—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact R.S. 42:1114.2 and 1155(B), and to repeal R.S. 42:1157(A)(4)(b), relative to Code of Governmental Ethics; to provide for certain violations of the Code of Governmental Ethics; to prohibit retirement officials from accepting certain expenditures of certain persons having or seeking certain relationships with a state or statewide public retirement system; to prohibit persons having or seeking certain relationships with a state or statewide public retirement system from making expenditures for a retirement official; to remove

provisions requiring the disclosure of certain expenditures by certain persons having or seeking certain relationships with a state or statewide public retirement system; to provide for certain penalties for violations of the Code of Governmental Ethics; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

**HOUSE BILL NO. 807—**

BY REPRESENTATIVES HAMMETT AND ALARIO  
AN ACT

To amend and reenact Paragraphs (D) and (M) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, as amended, and R.S. 39:467, relative to the Louisiana Stadium and Exposition District and the tax exemption for domed stadium facilities, respectively; to provide for the allocation and distribution of certain revenues of the district; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 808—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact Paragraph (D) and (M) of Article 14, Section 47 of the 1921 Constitution of Louisiana, continued as a statute pursuant to the provisions of Article XIV, Section 16 of the 1974 Constitution of Louisiana, as amended, relative to the Louisiana Stadium and Exposition District; relative to the tax exemption for domed stadium facilities; to provide for the levy and collection of an automobile rental tax; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 809—**

BY REPRESENTATIVES HAMMETT, ALARIO, SALTER, AND DORSEY  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact Paragraphs (D) and (M) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, as amended, and R.S. 39:467, relative to the Louisiana Stadium and Exposition District; modifies the tax exemption for domed stadium facilities; to provide for the allocation and distribution of certain revenues of the district; to authorize the increase or imposition of certain fees and taxes; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 822—**

BY REPRESENTATIVE SHEPHERD  
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of

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riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **HOUSE BILL NO. 823—** BY REPRESENTATIVE BALDONE AN ACT

To appropriate funds out of the Risk Management Fund to satisfy the claim for medical expenses rendered on the claim for flexion contractures, pursuant to the judgment rendered in the suit entitled "Deborah Batson, Eula Maye Batson and Billy M. Batson v. South Louisiana Medical Center and State of Louisiana through the Department of Health and Human Resources"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

### **HOUSE BILL NO. 824—** BY REPRESENTATIVES ALARIO AND TRICHE AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

### **HOUSE BILL NO. 825—** BY REPRESENTATIVES ANSARDI AND MARTINY AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Denise and Dolores Olivier v. Cynthia H. Square, et al." consolidated with "John and Evelyn Belou v. Clement Charbonnet, III, et al."; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

### **HOUSE BILL NO. 826—** BY REPRESENTATIVE ERDEY AN ACT

To enact R.S. 33:2740.62, relative to Livingston Parish; to authorize the governing authority of the parish to levy and collect a documentary transaction tax; to provide for the maximum amount that may be levied; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **HOUSE BILL NO. 827—** BY REPRESENTATIVE BAYLOR AN ACT

To enact R.S. 47:305.53, relative to the sales and use tax; to provide an exemption from sales and use taxes for certain medical dyes;

to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

### **HOUSE BILL NO. 828—** BY REPRESENTATIVE HEATON AN ACT

To enact R.S. 47:6020 and 6021, relative to tax credits to encourage the production of music recordings in Louisiana; to authorize a music recording investor credit and a music employment tax credit to be taken against certain taxes; to provide for the administration, transferability, and other procedures relative to the tax credits; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

### **HOUSE BILL NO. 829—** BY REPRESENTATIVE JACKSON AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

### **HOUSE BILL NO. 830—** BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 47:305(D)(1)(k) and (u), relative to the sales and use tax; to provide state and local tax exemptions for adaptive driving equipment, motor vehicle modifications, and equipment specifically manufactured for the purpose of transporting wheeled mobility devices; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

## **Motion**

On motion of Rep. Hammett, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Bill No. 742.

### **HOUSE BILL NO. 742—** BY REPRESENTATIVES K. CARTER, GRAY, AND JEFFERSON AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.67, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Health and Biosciences Economic Development District; to

create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the bill was recommitted to the Committee on Ways and Means.

### Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

#### SENATE BILL NO. 48—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

#### SENATE BILL NO. 73—

BY SENATOR N. GAUTREAUX

AN ACT

To provide for the taking of income and franchise tax credits for donations to certain playgrounds or recreational areas on amended returns; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### SENATE BILL NO. 74—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Montgomery, the bill was returned to the calendar.

#### SENATE BILL NO. 75—

BY SENATOR ADLEY

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (I), relative to the jurisdiction of city courts; to provide relative to the City Court of Springhill; to increase the jurisdictional amount in dispute; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

#### SENATE BILL NO. 109—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:555.8(B) and (C) and 555.9(A)(1), relative to the Louisiana Beef Industry Council; to authorize the council to increase the state assessment for participation in the Louisiana Beef Promotion and Research Program; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

#### SENATE BILL NO. 111—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 38:27, relative to damage claims against the state, its agencies, or employees; to provide relative to such claims involving the failure, operation, or approval of a dam located in this state; to define "dam"; to include the Toledo Bend Dam in such definition; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

#### SENATE BILL NO. 130—

BY SENATOR ROMERO

AN ACT

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

#### SENATE BILL NO. 131—

BY SENATORS BAJOE AND MURRAY

AN ACT

To amend and reenact R.S. 47:301(10)(y) and (18)(k), relative to state and political subdivision sales and use tax; to grant an exclusion from such tax for organizations which donate toys to children; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### SENATE BILL NO. 138—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 47:296.2(C), 296.3(C), and 1516.1(G)(2) and to enact R.S. 47:1584, relative to collection of taxes; to provide for an innocent spouse rule for the collection of taxes and related amounts; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### SENATE BILL NO. 151—

BY SENATORS N. GAUTREAUX, DUPRE, LENTINI, MURRAY AND ROMERO

AN ACT

To enact Part III-A of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain

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exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of congress, or state law; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

### SENATE BILL NO. 265—

BY SENATOR HINES AND REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 37:1041(C)(2) and (4) and to enact R.S. 37:1041(C)(5), relative to the practice of optometry; to provide for modifications in current definitions; to provide for a definition of ophthalmic surgery; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Durand, the bill was returned to the calendar.

### Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

### HOUSE BILL NO. 708—

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 47:1703(A)(2), (B), and (C) and to repeal R.S. 47:1703(D), relative to the homestead exemption; to change the date which a property owner in Orleans Parish entitled to the homestead exemption is required to own and occupy the homestead before the homestead exemption is claimed; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 831—

BY REPRESENTATIVE MORRISH  
AN ACT

To enact R.S. 47:301(16)(m), relative to exclusions and exemptions from state sales and use taxes; to exclude items used in the production or harvesting of crawfish from the tax; to provide for an effective date; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 832—

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 47:301(8)(f), relative to the state sales and use tax; to provide for the exclusion of purchases by certain nonprofit entities; to provide for the use of annual exclusion certificates to administer the exclusion; to provide for an effective date; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 833—

BY REPRESENTATIVES MONTGOMERY AND ALARIO  
AN ACT

To amend and reenact R.S. 27:392(B)(4), relative to the dedication and distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the dedication of such revenues to the I-49 Fund to be created within the state treasury; to provide for an effective date; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 834—

BY REPRESENTATIVE LABRUZZO  
AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide for a tax credit to parents of home schooled children and those attending private school based on parents' income; to provide for an effective date; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX  
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 837—

BY REPRESENTATIVE KENNARD  
AN ACT

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within Central City; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of Central City pursuant to intergovernmental agreement; to create a Central City Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Read by title.

### HOUSE BILL NO. 838—

BY REPRESENTATIVE DORSEY  
AN ACT

To amend and reenact R.S. 47:462(B)(3)(a), 463(A)(1) and (3), and 475, to enact R.S. 47:463(D), and to repeal R.S. 47:462(B)(6) and 465, relative to motor vehicle registration taxes; to provide for the registration license schedule for certain types of vehicles;

to provide for the issuance of uniform license plates for certain types of vehicles; to provide for the minimum annual motor vehicle license tax; to repeal provisions relative to a staggered registration system for certain types of vehicles; to repeal provisions relative to the annual registration license tax for motorcycles; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 839—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb) and to enact R.S. 47:301(3)(i)(ii)(aa)(I)(ddd), relative to the state sales and use tax on certain machinery and equipment; to define machinery and equipment to include that used to generate electric power by an industrial manufacturing plant for self consumption or cogeneration; to include the NAICS code for oil and gas processing plants in the definition of manufacturer; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 840—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 841—**

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; and to provide for related matters.

Read by title.

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 28 (Duplicate of Senate Bill No. 8 by Senator Theunissen)—**

BY REPRESENTATIVE MORRISH AND SENATOR THEUNISSEN AND COAUTHORED BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILORY, AND KLECKLEY

AN ACT

To amend and reenact R.S. 34:204.1(B) and (D)(12), relative to the Lake Charles Harbor and Terminal District; to provide relative to the qualifications and authority of the port director; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 52—**

BY REPRESENTATIVES ODINET, ALARIO, AND CROWE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a) of the Constitution of Louisiana, to remove the prohibition that persons aged sixty-five and older whose adjusted gross income exceeds fifty thousand dollars, as adjusted annually by the Consumer Price Index, cannot receive a special assessment of residential property; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 65—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 81—**

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 28:53.2(B)(5), relative to an order for custody; to provide for the contents of the order; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 118—**

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 187—

BY REPRESENTATIVE ARNOLD

#### A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Under the rules, the above bill was ordered engrossed and recommitment to the Committee on Civil Law and Procedure.

### HOUSE BILL NO. 209—

BY REPRESENTATIVE DAMICO

#### AN ACT

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 209 by Representative Damico

##### AMENDMENT NO. 1

On page 1, line 2, after "to enact R.S. 37:" and before "1455(A)(35)" insert "1435(A)(5) and"

##### AMENDMENT NO. 2

On page 1, line 3, after "members;" insert "to provide for authority to acquire immovable property;"

##### AMENDMENT NO. 3

On page 1, at the end of line 7 insert "37:1435(A)(5) and"

##### AMENDMENT NO. 4

On page 1, at the beginning of line 8, delete "37:1455(A)(35) is" and insert "1455(A)(35) are"

##### AMENDMENT NO. 5

On page 1, between lines 16 and 17, insert:

"§1435. Powers of the commission

A. The commission shall have the full power and authority to:

\* \* \*

(5) Purchase, acquire, develop, expand, sell, lease, maintain, mortgage, borrow funds, or otherwise contract with respect to immovable property and improvements thereon as it may deem necessary or appropriate to accomplish the provisions of this Chapter. Additionally, the commission shall have the authority to borrow funds with the approval of the State Bond Commission and to expend funds of the commission for the acquisition of immovable property and improvements thereon. In the event that the commission sells immovable property and improvements thereon, the revenue derived from the sale shall be retained by the commission and shall not be subject to reversion to the state general fund.

\* \* \*

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 247—

BY REPRESENTATIVES JOHNS, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS BAJOEI, KOSTELKA, AND MOUNT

#### AN ACT

To amend and reenact R.S. 13:5106(B)(1) and (2), relative to the Louisiana Governmental Claims Act; to provide relative to limitations of liability for the state and political subdivisions; to provide for liability for damages for personal injury and wrongful death; to provide for legislative intent; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 247 by Representative Johns

##### AMENDMENT NO. 1

On page 1, line 16, after "filed" and before "for" insert "or claims made"

##### AMENDMENT NO. 2

On page 2, line 3, after "filed" and before "for" insert "or claims made"

##### AMENDMENT NO. 3

On page 2, after line 4, delete lines 5 through 7 in their entirety and insert the following:

"Section 2. The provisions of this Act are intended to explain the original intent of the legislature, notwithstanding the contrary interpretation by the Louisiana Supreme Court in *Lockett v. State, Department of Transportation and Development*, 2003-1767 (La. 2/25/04), 869 So.2d 87.

Section 3. The provisions of this Act shall be applicable only to claims arising or actions filed on and after its effective date.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.



If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 256—**

BY REPRESENTATIVE DOVE

**AN ACT**

To amend and reenact R.S. 38:301(C)(1)(b) and to enact R.S. 38:301(C)(2)(g) and (3), relative to the Terrebonne Levee and Conservation District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 266—**

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE

**AN ACT**

To amend and reenact R.S. 38:3086.22(A) and 3086.23(A), (B), and (C), relative to the Bayou Lafourche Fresh Water District; to provide for expanding the jurisdiction of the district; to authorize the inclusion of Terrebonne Parish within the district subject to approval of the governing authority and the voters of the parish; to provide for the composition of board if the jurisdiction is expanded; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

On motion of Rep. Damico, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 271—**

BY REPRESENTATIVE BAYLOR

**AN ACT**

To amend and reenact R.S. 47:332.6(B), relative to the dedication of certain sales tax revenues in the city of Shreveport; to change the dedication and allowable uses of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 278—**

BY REPRESENTATIVE ST. GERMAIN

**AN ACT**

To amend and reenact R.S. 9:2795.4(A)(3), (4)(a), and (6), relative to the limitation of liability for motorized off-road activities; to revise the definitions of "motorized off-road vehicles", "motorized off-road vehicle activity", and "motorized off-road vehicle facility"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 279—**

BY REPRESENTATIVE BAYLOR

**AN ACT**

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 297—**

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, MORRISH, AND JOHN SMITH AND SENATORS MOUNT AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 47:302.14, relative to the dedication of certain sales tax revenues in Calcasieu Parish; to provide for the dedication of proceeds derived from state sales tax on hotel occupancy in Calcasieu Parish; to provide for the issuance of bonds secured by such proceeds; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 297 by Representative Johns

**AMENDMENT NO.1**

On page 2, line 22, after the comma "," and "the" insert "full faith and credit of the state shall not be pledged to repay any bonds issued as provided in this Section and the"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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## HOUSE BILL NO. 313—

BY REPRESENTATIVE HAMMETT

### AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.297, relative to Lake St. John in Concordia Parish; to create the Lake St. John Recreation and Water Conservation District as a political subdivision of the state; to create and to provide for a board of commissioners to manage the district; to provide for powers and duties of the district and the board; to authorize the board to levy taxes and parcels fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district; to provide for penalties; to provide relative to the duties and powers of the Department of Transportation and Development; to provide with respect to mineral leases; to provide for creation and construction of playgrounds and recreational facilities; to provide for the regulation of commercial establishments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 313 by Representative Hammett

#### AMENDMENT NO.1

On page 1, line 10, after "Development" delete the semicolon ";" and insert the following:

"and the Louisiana Wildlife and Fisheries Commission;"

#### AMENDMENT NO. 2

On page 5, delete lines 15 and 16 in their entirety and insert the following:

"(5) To manage and control the water level and to make recommendations to the Wildlife and Fisheries Commission regarding lake drawdowns for biological purposes and aquatic plant control."

#### AMENDMENT NO. 3

On page 10, delete lines 9 and 10 in their entirety.

#### AMENDMENT NO. 4

On page 10, line 11, change "(2)" to "(1)"

#### AMENDMENT NO. 5

On page 10, line 14, change "(3)" to "(2)"

#### AMENDMENT NO. 6

On page 10, line 17, change "(4)" to "(3)"

#### AMENDMENT NO. 7

On page 10, line 21, change "(5)" to "(4)"

#### AMENDMENT NO. 8

On page 10, line 23, change "(6)" to "(5)"

#### AMENDMENT NO. 9

On page 10, line 26, change "(7)" to "(6)"

#### AMENDMENT NO. 10

On page 12, at the end of line 5, insert the following:

"Nothing in this Section shall prohibit the temporary and otherwise lawful anchorage of boats and watercraft or the otherwise lawful use of legal fishing gear."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 332—

BY REPRESENTATIVES PINAC, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, JACKSON, KLECKLEY, LAFONTA, T. POWELL, RITCHIE, GARY SMITH, STRAIN, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON

### AN ACT

To amend and reenact R.S. 51:1286(C)(1)(b) and (c), relative to tourism; to provide for restrictions on in-state advertising by the office of tourism; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## HOUSE BILL NO. 339—

BY REPRESENTATIVE PITRE

### AN ACT

To authorize the Grand Isle Port Commission to use certain state property for seafood research; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 339 by Representative Pitre

#### AMENDMENT NO.1

On page 1, delete lines 11 through 20 in their entirety and insert the following:

"Approximately five acres in Caminada Pass, Jefferson Parish, Louisiana, circumscribed by lines connecting the following points (projection in North American datum, 1983):

(1) The Northeast corner is located at 29 degrees, 13 minutes, 39.48 seconds, North, 90 degrees, 2 minutes, 19.86 seconds West.

(2) The Southeast corner is located at 29 degrees, 13, minutes 34.08 seconds North, 90 degrees, 2 minutes, 17.10 seconds West.

(3) The Southwest corner is at 29 degrees, 13 minutes, 32.22 seconds North, 90 degrees, 2 minutes, 21.84 seconds West.

(4) The Northwest corner is at 29 degrees, 13 minutes, 34.08 seconds North, 90 degrees, 2 minutes, 24.66 seconds West."

AMENDMENT NO. 2

On page 2, delete lines 2 and 3 in their entirety and insert the following:

"water surface for the sole purpose of an off-bottom oyster (*Crassostrea Virginica*) culture project undertaken in cooperation with the Louisiana Sea Grant program subject to approval of all state and federal agencies with jurisdiction over activities conducted in connection with the project."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 342—**

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 47:1707, relative to exemption for ad valorem taxation; to clarify the exemption for motor vehicles; to provide that the definition of motor vehicles does not include certain machinery and equipment; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 348—**

BY REPRESENTATIVES GREENE, ANSARDI, JOHNS, LABRUZZO, ROBIDEAUX, AND WALKER AND SENATOR KOSTELKA

AN ACT

To amend and reenact Civil Code Article 466, relative to immovable property; to provide revisions to the definition of "component parts"; to provide for things permanently attached to buildings or other constructions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 348 by Representative Greene

AMENDMENT NO. 1

On page 1, line 8, after "of" delete the remainder of the line and insert "an immovable"

AMENDMENT NO. 2

On page 1, between lines 8 and 9, insert the following:

"Things permanently attached to an immovable are its component parts."

AMENDMENT NO. 3

On page 1, line 9, after "Things" and before the comma "," delete "permanently attached to a building or other construction"

AMENDMENT NO. 4

On page 1, line 10, after "are" and before "component" delete "its" and after "parts" and before the period "." insert "of an immovable as a matter of law"

AMENDMENT NO. 5

On page 1, delete lines 11 through 15 in their entirety and insert the following:

"Things Other things are considered to be permanently attached to an immovable if they cannot be removed without substantial damage to themselves or to the immovable or if, according to prevailing notions in society, they are considered to be component parts of an immovable."

Section 2. This Act shall apply to existing immovables and shall be used in any determination of whether a thing is a component part, but no provision may be applied to divest already vested rights or to impair obligations of contracts.

Section 3. Article 466 of the Louisiana Civil Code that governs the component parts of buildings and other constructions was enacted in 1978. It was drafted by the Property Committee of the Louisiana State Law Institute, was discussed and adopted by the Council of the Institute, and was enacted into law as submitted to the Louisiana Legislature. The reporter of the Institute's Committee (A. N. Yiannopoulos) has explained the scope, purpose, and function of the Article. See Yiannopoulos, *Civil Law Property* §116.142 (4<sup>th</sup> ed. 2001). The two paragraphs of Article 466 of the Louisiana Civil Code were presented to the Council of the Louisiana State Law Institute as two independent articles and were so adopted. However, the provisions of Title I, Book II of the Louisiana Civil Code - Things, of which Article 466 is a part, were renumbered when submitted to the legislature, and the two independent Articles governing component parts of buildings or other constructions became the two Paragraphs of Article 466.

According to legislative intent and Louisiana *jurisprudence constante*, the two Paragraphs of Article 466 contemplate distinct tests for the classification of things as component parts of buildings or other constructions. The things that are indicatively enumerated in the first Paragraph of Article 466 are component parts as a matter of law. All other things are considered to be permanently attached and, therefore, component parts of a building or other construction under the second Paragraph of Article 466, if they cannot be removed without substantial damage to themselves or to the immovable. Further, Louisiana courts have correctly superimposed on the two Paragraphs of Article 466 the realistic test of "societal expectations". Things attached to an immovable may be component parts of the immovable or may remain movables depending on societal expectations, namely, prevailing notions in society and economy concerning the status of those things.

Section 4. This Act is intended to re-confirm and enact into law Louisiana *jurisprudence constante* that preceded *Willis-Knighton Medical Center v. Caddo Shreveport Sales*, No. 2004-C-0473, 2005 WL 737481 (La. 4/6/05).

Section 5. As provided by R.S. 24:175, the provisions of this Act are severable. If any provision, item or Section of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, sections, or applications of this Act or

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applications of this Act which can be given effect without the invalid provision, Item, Section, or application."

### AMENDMENT NO. 6

On page 1, line 16, after "Section" change "3" to "6"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 357—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.287, relative to creating and providing for the Lake Bistineau Conservation District; to provide for the purpose, boundaries, corporate powers, and governance of the district; to provide for powers and duties of the board of commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 357 by Representative Montgomery

### AMENDMENT NO. 1

On page 1, line 6, after "board of commissioners;" and before "and" insert the following:

"to provide relative to the district's relationship with the Louisiana Wildlife and Fisheries Commission;"

### AMENDMENT NO. 2

On page 1, at the end of line 20, insert the following:

"Nothing in this Part shall supersede or affect any of the authority granted to any watershed district."

### AMENDMENT NO. 3

On page 2, line 27, after "secretary-treasurer." and before "The" insert the following:

"The position of president of the board shall rotate among the representatives of the parishes on the board of commissioners each year."

### AMENDMENT NO. 4

On page 3, delete line 25 in its entirety and insert the following:

"(4) Establish and collect user fees; however, in no case shall fees for access to the lake be established or collected."

### AMENDMENT NO. 5

On page 4, between lines 6 and 7, insert the following:

"(7) Make recommendations to the Wildlife and Fisheries Commission regarding lake drawdowns for biological purposes and aquatic plant control."

### AMENDMENT NO. 6

On page 5, delete line 11 in its entirety and insert the following:

"(1) To manage and control the water level; however, the management and control of drawdowns for biological purposes is vested in the Wildlife and Fisheries Commission."

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 389—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid and solid wastes, including the construction and maintenance of sewerage facilities; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Environment.

The substitute was read by title as follows:

### **HOUSE BILL NO. 843—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 33:4169.3, relative to the parish of Jefferson; to provide that the governing authority of the parish may contract with private entities in a joint venture for the treatment and disposal of sewage and liquid wastes; to provide for leases of parish property; to provide with respect to the terms, conditions, and length of contracts; to provide for antitrust liability; and to provide for related matters.

Read by title.

On motion of Rep. Damico, the substitute was adopted and became House Bill No. 843 by Rep. Damico, on behalf of the Committee on Environment, as a substitute for House Bill No. 389 by Rep. Damico.

Under the rules, lies over in the same order of business.

### **HOUSE BILL NO. 390—**

BY REPRESENTATIVES STRAIN AND DANIEL  
AN ACT

To amend and reenact R.S. 38:421(B) through (F) and (I) through (K) and to enact R.S. 38:421(O), relative to the assessments and forced contribution of levee and drainage districts; to exempt certain produce and other commodities from the local assessment or forced contribution; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 403—**

BY REPRESENTATIVES WADDELL AND PINAC  
AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 403 by Representative Waddell

##### AMENDMENT NO. 1

On page 1, line 13, after "time" insert "up to two years"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 419—**

BY REPRESENTATIVE K. CARTER AND SENATOR HAINKEL  
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem tax exemptions; to exempt works of art on consignment; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

#### **HOUSE BILL NO. 425—**

BY REPRESENTATIVE TRAHAN  
AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N), 53.2(G), and 54(E) and 63(O), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 425 by Representative Trahan

##### AMENDMENT NO. 1

On page 1, at the end of line 14, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in nonviolent crisis intervention and such training has been documented in their personnel file."

##### AMENDMENT NO. 2

On page 2, at the end of line 2, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in nonviolent crisis intervention and such training has been documented in their personnel file."

##### AMENDMENT NO. 3

On page 2, at the end of line 8, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in nonviolent crisis intervention and such training has been documented in their personnel file."

##### AMENDMENT NO. 4

On page 2, at the end of line 18, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in nonviolent crisis intervention and such training has been documented in their personnel file."

##### AMENDMENT NO. 5

On page 2, at the end of line 22, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in nonviolent crisis intervention and such training has been documented in their personnel file."

##### AMENDMENT NO. 6

On page 2, at the end of line 26, delete "or" and at the beginning of line 27, delete "to third parties"

##### AMENDMENT NO. 7

On page 3, at the end of line 2, change the period "." to a comma "," and add "unless the damage or injury was caused by willful or wanton negligence or gross misconduct. This limitation shall only apply to public and private hospital personnel who within the preceding twelve-month period have received appropriate training in non-violent crisis intervention and such training has been documented in their personnel file."

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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### HOUSE BILL NO. 446—

BY REPRESENTATIVE TRAHAN

AN ACT

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 462—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, RITCHIE, GARY SMITH, WALSWORTH, WHITE, AND WINSTON AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 51:3053(5)(a) and to enact R.S. 51:3054(B)(4), relative to the Louisiana Major Project Development Authority; to provide for certain project thresholds; to authorize the creation of an executive committee of the board of directors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 498—

BY REPRESENTATIVES KLECKLEY, GEYMAN, JOHNS, AND MORRISH AND SENATOR THEUNISSEN

AN ACT

To name a portion of Nelson Road Extension in Calcasieu Parish the L'Auberge Boulevard and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 554—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 562—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to provide for disposition of monies recovered on behalf of the state by the attorney general; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on AppropriationsAppropriations to Original House Bill No. 562 by Representative Hammett

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "49:257", insert "36:704(B) and (D) and R.S." and after "agencies" and before the semicolon ";," insert "and political subdivisions"

#### AMENDMENT NO. 2

On page 1, line 3, after "agencies" and before "in certain" insert "and political subdivisions"

#### AMENDMENT NO. 3

On page 1, line 9, after "R.S." and before "hereby" change "49:257 is" to "36:704(B) and (D) are"

#### AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§704. Divisions of the department; functions

\* \* \*

B. There shall be within the Department of Justice an administrative services division. It shall be responsible for accounting and budget control, procurement and contract management, management and program analysis, data processing, personnel management, grants management for the department, automated systems, ~~and~~ governmental relations, and the administrative process for the collection of money owed to the state and its agencies, boards, commissions, and political subdivisions."

\* \* \*

D. There shall be within the Department of Justice a civil division. It shall be responsible for providing the full range of civil legal services requested by the officers and agencies of the state. The functions of the civil division shall include the assertion or protection of any right or interest of the state of Louisiana; legal representation of governmental officers, agencies, boards, ~~or~~ commissions, or political subdivisions collection of money owed to the state of

Louisiana and its agencies, boards, or commissions, construction claims and litigation on public works, and legal protection of state lands, water bottoms, and natural resources of the state.

\* \* \*

Section 2. R.S. 49:257 is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 1, at the beginning of line 20, change "C.(1)" to "C.(1)(a)"

AMENDMENT NO. 6

On page 2, line 6, after "state," delete the remainder of the line, delete lines 7 through 15 in their entirety, and at the beginning of line 16 delete "(2)(a)" and insert the following:

"(b) The attorney general is authorized to collect debts owed to a political subdivision upon written request from the governing authority of the political subdivision, and as evidenced by written agreement between the parties with respect thereto.

(2)(a) Except as provided in Subparagraph (b) of this Subsection, the attorney general shall receive as compensation an amount not to exceed twenty-five percent of all monies recovered through his debt collection activities undertaken on behalf of the state.

(b) The compensation received by the attorney general for the collection of student loans issued pursuant to the Federal Family Education Loan Program, 20 U.S.C. §1071, et seq., the Federal Perkins Loan Program, 20 U.S.C. §1078 aa, et seq., and all educational debts that are evidenced by a contract or negotiable instrument that provides for the payment of collection costs or attorney fees and are collected on behalf of institutions under the jurisdiction of boards created by Article VIII of the Constitution of Louisiana, shall be governed by the instrument creating the debt or by cooperative endeavor with the agency owed the debt.

(c) Compensation due the attorney general with respect to debt collection activities on behalf of a political subdivision shall be governed by the terms of the agreement between the attorney general and the political subdivision.

(3)(a) All monies recovered by the attorney general from debt collection on behalf of the state shall be transferred to the state treasury for deposit in and satisfaction of the requirements of the Bond Security and Redemption Fund. Thereafter, the treasurer shall deposit into the Department of Justice Debt Collection Fund an amount equal to that which was transferred to the state treasury. Monies received by the attorney general from activities as provided in Subparagraph (2)(b) of this Subsection shall be credited to the Department of Justice Debt Collection Fund. Any residual monies on deposit in the state treasury shall be disposed of as may otherwise be provided by law. The provisions of this Subparagraph shall not apply to any proceeds from court-awarded judgments and settlements involving the Department of Natural Resources as specified in R.S. 30:136.3(B)(1).

(b) All monies recovered by the attorney general from debt collection on behalf of political subdivisions shall be distributed to the attorney general and the political subdivision pursuant to agreement between the parties. All monies distributed to the attorney general, after satisfying the requirements of the Bond Security and Redemption Fund, shall be deposited in the Department of Justice Debt Collection Fund.

(4)(a)"

AMENDMENT NO. 7

On page 2, at the end of line 19, after "state" and before the period "." insert "and its political subdivisions"

AMENDMENT NO. 8

On page 2, at the beginning of line 22, after "state" and before the period "." insert "and its political subdivisions"

AMENDMENT NO. 9

On page 3, after "to the" delete "state general"

AMENDMENT NO. 10

On page 3, delete lines 3 through 9 in their entirety

AMENDMENT NO. 11

On page 3, at the beginning of line 28, change "Section 2." to "Section 3."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 592—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To repeal R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to repeal requirement that the attorney general certify the constitutionality of appropriations from such fund prior to the expenditure of such revenues; to repeal requirement that such certification be transmitted to the legislature.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 592 by Representative Walsworth

AMENDMENT NO.1

On page 1, delete lines 2 through 5 and insert the following:

"To amend and reenact R.S. 49:314(B)(3), relative to appropriations from the Transportation Trust Fund; to change the time period for the Attorney General to certify the constitutionality of appropriations from such fund prior to the expenditures of such revenues; to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete line 7 and insert the following:

"Section 1. R.S. 49:314(B)(3) is hereby amended and reenacted to read as follows:

§314. Withdrawals

\* \* \*

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B.

\* \* \*

(3)(a) Notwithstanding any other provision of law to the contrary, including any provision of any Appropriation Act or Capital Outlay Act, for any monies appropriated from the Transportation Trust Fund, ~~after enactment of such appropriation and prior to expenditure of such monies~~, the attorney general shall do one of the following:

(i) Certify that such appropriation is or a purpose for which monies in the trust fund may be expended as limited by the provisions of Article VII, Section 27 of the Constitution of Louisiana.

(ii) Determine that such appropriation is not for such an authorized purpose.

(b) Such certification or determination by the attorney general must be made within ~~thirty seven days of the effective date of such appropriation following final passage by both houses of the legislature of any bill which appropriates funds from the Transportation Trust Fund.~~

(c) The certification or other determination shall be transmitted to the Governor, the Joint Legislative Committee on the Budget, the Joint Legislative Committee on Capital Outlay, the presiding officers of both houses of the legislature, and the chairmen of the House and Senate Committees on Transportation, Highways and Public Works."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 596—**

BY REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 36: 509 (U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Jackson Parish Dugdemona Watershed Reservoir Authority; to create the Jackson Parish Dugdemona Watershed Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 596 by Representative Fannin

#### AMENDMENT NO.1

On page 9, delete lines 3 through 5 in their entirety

#### AMENDMENT NO. 2

On page 9, line 6, change "(d)" to "(c)"

#### AMENDMENT NO. 3

On page 9, line 8, change "(e)" to "(d)"

#### AMENDMENT NO. 4

On page 9, line 10, change "(f)" to "(e)"

#### AMENDMENT NO. 5

On page 9, line 11, change "(g)" to "(f)"

#### AMENDMENT NO. 6

On page 11, line 12, after "The" delete the remainder of the line and at the beginning of line 13, delete "recommendations of the board." and insert "board"

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 618—**

BY REPRESENTATIVE FANNIN

AN ACT

To enact 40:1846(H), relative to liquified petroleum gas; to provide for limitations on liability for certain activities related to liquified petroleum gas; to provide for the liability of retailers, suppliers, handlers, transports, and consumers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 618 by Representative Fannin

#### AMENDMENT NO.1

On page 1, line 14, after "by" and before the colon ":" insert "either of the following"

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 751—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Racing Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.



On motion of Rep. Pinac, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 789—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, composed of R.S. 33:9580, relative to public contracts; to authorize certain political subdivisions to enter into agreements for the construction, maintenance and operation of public facilities related to sewerage and water treatment; to provide with respect to the construction and content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 789 by Representative Daniel

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "33:9580" to "33:9581"

AMENDMENT NO. 2

On page 1, line 5, change "water treatment;" to "nonpotable water treatment systems;"

AMENDMENT NO. 3

On page 1, line 12, change "9580" to "9581."

AMENDMENT NO. 4

On page 1, between line 12 and 13, insert "Chapter 42. Sewage and Nonpotable Water Treatment Facilities"

AMENDMENT NO. 5

On page 1, line 13, change "33:9580" to "33:9581"

AMENDMENT NO. 6

On page 1, line 13, change "sewage and" to "sewerage facilities or nonpotable"

AMENDMENT NO. 7

On page 1, line 15, after "A." insert "(1)"

AMENDMENT NO. 8

On page 1, line 18, change "sewage and" to "sewerage facility or nonpotable"

AMENDMENT NO. 9

On page 2, at the beginning of line 1, change "(1)" to "(a)"

AMENDMENT NO. 10

On page 2, line 2, after "venture" insert a comma ","

AMENDMENT NO. 11

On page 2, line 2, after "state" insert a comma ","

AMENDMENT NO. 12

On page 2, line 4, after "constructing" insert a comma "," and "maintaining."

AMENDMENT NO. 13

On page 2, line 4, change "sewage and" to "sewerage facility or nonpotable"

AMENDMENT NO. 14

On page 2, at the beginning of line 7, change "(2)" to "(b)"

AMENDMENT NO. 15

On page 2, at the beginning of line 10, change "(3)" to "(c)"

AMENDMENT NO. 16

On page 2, line 11, after "transfer" delete the comma ","

AMENDMENT NO. 17

On page 2, line 12, after "treatment" delete the remainder of the line and delete lines 13 through 15 in their entirety and insert a comma "," and the following:

"transmission, distribution, sale, or disposal of water, reclaimed water, bio-solids, sewage, and liquid wastes in furtherance of the purpose of this Section."

AMENDMENT NO. 18

On page 2, at the beginning of line 16, change "(a)" to "(2)"

AMENDMENT NO. 19

On page 2, at the beginning of line 22, change "(b)" to "(3)"

AMENDMENT NO. 20

On page 2, at the beginning of line 25, change "(c)" to "(4)"

AMENDMENT NO. 21

On page 2, line 25, after "determine" delete the remainder of the line and insert "the following:"

AMENDMENT NO. 22

On page 2, at the beginning of line 26, insert "(a) The extent the political subdivision's shares in any"

AMENDMENT NO. 23

On page 2, line 26, after "sale of" delete the remainder of the line and insert "nonpotable water, bio-solids, or liquid wastes from any"

AMENDMENT NO. 24

On page 2, line 28, after "manner." delete the remainder of the line and on page 3, delete line 1 and 2 in their entirety, and insert the following:

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"(b) The level of risk which it may incur in the sale of treated water, bio-solids, or liquid wastes.

(c) The allocation of the depreciation of assets involved in the water facility or sewerage facility."

### AMENDMENT NO. 25

On page 3, line 3, after "B." insert the following:

"It is the intent of this Section to provide parish or local governments the greatest latitude in the negotiation and consummation of such agreements in order to take advantages of rapidly changing business conditions."

### AMENDMENT NO. 26

On page 3, line 5, after "authority" delete the comma ","

### AMENDMENT NO. 27

On page 3, line 15, after "operation" insert a comma "," and "maintenance."

### AMENDMENT NO. 28

On page 3, delete line 16 in its entirety and insert "such sewerage facility or water facility as well as the collection, transmission, and distribution"

### AMENDMENT NO. 29

On page 3, at the end of line 19, insert "This exception is subject to the approval, as required, by the parish or local government."

### AMENDMENT NO. 30

On page 3, at the end of line 25, change the period "." to a comma "," and insert "and shall be considered a real right."

### AMENDMENT NO. 31

On page 4, after line 3, insert the following:

"F. For the purposes of this Section "sewerage facility" shall mean all systems, technologies, physical structures, buildings, and appurtenances for the collection, transmission, treatment, disposal, or distribution of nonpotable water, wastewater, treated wastewater, liquid wastes, bio-solids, or reclaimed water."

On motion of Rep. Damico, the amendments were adopted.

On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

### **HOUSE CONCURRENT RESOLUTION NO. 51—**

BY REPRESENTATIVE DAMICO

#### **A CONCURRENT RESOLUTION**

To urge and request the Department of Environmental Quality to develop a Louisiana mercury action plan with the goals of continual reduction in the use of mercury, continual reductions in releases of mercury to the environment, and minimization of human exposure to mercury.

Read by title.

On motion of Rep. Damico, the resolution was adopted.

Ordered to the Senate.

### **House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### **Regular Calendar**

#### **HOUSE BILL NO. 59—**

BY REPRESENTATIVE E. GUILLORY

#### **AN ACT**

To amend and reenact R.S. 37:367, relative to issuance of certain certificates of registration; to prohibit the listing of complete social security numbers on the certificates of registration for barbers and instructors; and to provide for related matters.

Read by title.

Rep. Elcie Guillory moved the final passage of the bill.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Shepherd
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
Dewitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright

Total - 102

#### **NAYS**

Total - 0

#### **ABSENT**

Romero                      St. Germain                      Tucker  
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Elcie Guillory moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### **Suspension of the Rules**

On motion of Rep. Morrish, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

### **Suspension of the Rules**

On motion of Rep. Walsworth, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

### **HOUSE BILL NO. 207— BY REPRESENTATIVE RITCHIE AN ACT**

To amend and reenact R.S. 37:345(A), 346, and 375(A) and (D), to enact R.S. 37:363(7), and to repeal R.S. 37:354(C), relative to barbers; to provide for compensation for board members; to provide for the qualifications for inspectors; to require continuing education for instructors; to provide for fees; and to provide for related matters.

Read by title.

Rep. Elcie Guillory sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative E. Guillory to Engrossed House Bill No. 207 by Representative Ritchie

#### AMENDMENT NO. 1

On page 2, line 20, change "100.00" to "80.00"

#### AMENDMENT NO. 2

On page 2, line 23, change "50.00" to "40.00"

#### AMENDMENT NO. 3

On page 2, line 26, change "50.00" to "40.00"

#### AMENDMENT NO. 4

On page 3, line 2, change "60.00" to "50.00"

#### AMENDMENT NO. 5

On page 3, line 4, change "80.00" to "70.00"

#### AMENDMENT NO. 6

On page 3, line 6, change "80.00" to "70.00"

#### AMENDMENT NO. 7

On page 3, line 12, change "60.00" to "50.00"

#### AMENDMENT NO. 8

On page 3, line 25, change "70.00" to "60.00"

#### AMENDMENT NO. 9

On page 3, line 27, change "120.00" to "110.00"

#### AMENDMENT NO. 10

On page 4, line 6, change "60.00" to "50.00"

#### AMENDMENT NO. 11

On page 4, line 8, change "70.00" to "60.00"

#### AMENDMENT NO. 12

On page 4, line 10, change "120.00" to "110.00"

On motion of Rep. Elcie Guillory, the amendments were withdrawn.

Rep. Ritchie moved the final passage of the bill.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Faucheux	Powell, T.
Ansardi	Glover	Quezaire
Badon	Gray	Richmond
Baylor	Heaton	Ritchie
Burrell	Hill	Romero
Carter, K.	Honey	Shepherd
Carter, R.	Hunter	Smith, J.D.—50th
Curtis	Jefferson	St. Germain
Daniel	Marchand	Strain
Dartez	McDonald	Thompson
Dove	Montgomery	Toomy
Durand	Morrell	Townsend
Fannin	Pinac	
Total - 38		

#### **NAYS**

Alario	Greene	Pierre
Alexander	Guillory, E.	Pitre
Baldone	Hebert	Powell, M.
Baudoin	Hopkins	Robideaux
Beard	Hutter	Scalise
Bowler	Jackson	Schneider
Bruce	Johns	Smiley
Burns	Katz	Trahan
Cazayoux	Kennard	Triche
Cravins	Kenney	Tucker
Crowe	Kleckley	Waddell
Damico	LaBruzzo	Walker
Dewitt	LaFleur	Walsworth
Doerge	LaFonta	White
Dorsey	Lambert	Winston
Downs	Lancaster	Wooton
Erdey	Martiny	Wright
Frith	McVea	
Geymann	Morrish	
Total - 55		

#### **ABSENT**

Arnold	Farrar	Odinot
Barrow	Gallot	Smith, G.
Bruneau	Guillory, M.	Smith, J.H.—8th
Crane	Hammett	Smith, J.R.—30th
Total - 12		

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The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Elcie Guillory moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. Morrish, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

#### HOUSE BILL NO. 321—

BY REPRESENTATIVE ROMERO  
AN ACT

To amend and reenact R.S. 51:913 and 913.3 and to enact R.S. 51:913.4, relative to oil field and farm equipment; to provide for recordkeeping requirements for dealers; to provide for penalties; to provide for injunctive relief; and to provide for related matters.

Read by title.

Rep. Romero moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Ansardi	Frith	Morrish
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Schneider
Burrell	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
Dewitt	LaBruzzo	Triche
Doerge	LaFleur	Waddell
Dorsey	LaFonta	Walker
Dove	Lancaster	White
Downs	Marchand	Winston
Durand	Martiny	Wooton
Erdey	McDonald	Wright

Total - 99

##### NAYS

Total - 0

##### ABSENT

Lambert	Scalise	Tucker
Odinet	Smith, J.H.—8th	Walsworth

Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Romero moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 340—

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2011(C)(1)(b), (c), and (d) and 2019(D)(1)(b) and (4) and R.S. 36:236(B) and 238(C), (D), and (E), relative to the authority of the offices of environmental compliance, environmental services, and environmental assessment in the Department of Environmental Quality; to provide relative to licenses, registrations, exemptions, and certifications of radiation sources; to provide relative to laboratory services; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
Dewitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Frith	Odinet	

Total - 100

##### NAYS

Total - 0

##### ABSENT

Baldone Downs Shepherd  
Crane Johns  
Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 408—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:289, relative to executive officers and employees; to provide for loan restrictions; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Hammett	Ritchie
Baudoin	Heaton	Robideaux
Baylor	Hebert	Romero
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hopkins	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Frith	Odinot	

Total - 101

##### NAYS

Total - 0

##### ABSENT

Crane Downs  
Dewitt Martiny  
Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 432—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 39:1593(C)(1)(a), relative to state procurement; to expand the authorized use of a competitive request for proposal process under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
Dewitt	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Frith	Morrish	Wright

Total - 99

##### NAYS

Total - 0

##### ABSENT

Baudoin Doerge Kennard  
Bruce Downs Schneider  
Total - 6

The Chair declared the above bill was finally passed.

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The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 460—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT  
AND SENATORS HEITMEIER, HINES, BAJOEIE, AND MOUNT  
AN ACT

To enact Part VI-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2365, relative to state funds; to establish the Rapid Response Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 460 by Representative Alario

#### AMENDMENT NO. 1

On page 1, line 12, change ""Rapid Response Fund"" to "Rapid Response Fund"

#### AMENDMENT NO. 2

On page 1, at the beginning of line 18, change "(3)" to "B.(1)"

#### AMENDMENT NO. 3

On page 2, at the beginning of line 3, change "(4)" to "(2)"

On motion of Rep. Alario, the amendments were adopted.

Rep. Scalise sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 460 by Representative Alario

#### AMENDMENT NO. 1

On page 1, line 5, after "fund" and after the semi-colon ";," and before "to" insert "to require reporting;"

#### AMENDMENT NO. 2

On page 2, at the end of line 9, insert the following:

"The secretary shall report to the Joint Legislative Committee on the Budget twice yearly, on the first day of October and the first day of April, with respect to all actual expenditures of monies appropriated from the fund. The secretary shall include in these reports any other information which the committee may require with respect to use of monies appropriated from the fund."

On motion of Rep. Scalise, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bruce	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Shepherd
Carter, R.	Hutter	Smiley
Cazayoux	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
Dewitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	Wright
Frith	Morrish	
Total - 101		

#### NAYS

Bowler	Bruneau	Tucker
Total - 3		

#### ABSENT

Barrow  
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 490—

BY REPRESENTATIVES WADDELL AND PINAC  
AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to the State Licensing Board for Contractors; to provide for donations to public university foundations by contractors; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Waddell, the bill was returned to the calendar.

**HOUSE BILL NO. 560—**

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

**AN ACT**

To amend and reenact R.S. 39:2(23) and (24) and 36(A), relative to the state budget and budget process; to provide for the executive budget; to modify certain definitions; to provide with respect to the contents and format of the executive budget; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaFleur	Trahan
Daniel	LaFonta	Triche
Dartez	Lambert	Tucker
Dewitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Total - 101		

**NAYS**

Hebert  
Total - 2

Smith, G.

**ABSENT**

Erdey  
Total - 2

LaBruzzo

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Acting Speaker Alario in the Chair****HOUSE BILL NO. 800—**

BY REPRESENTATIVE SALTER

**AN ACT**

To amend and reenact R.S. 24:651(B), (C), and (E), relative to the Joint Legislative Committee on the Budget and its authority, duties, and functions; to provide for an executive committee and its officers, powers, duties, and functions; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Salter moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Durand	McVea
Alario	Fannin	Montgomery
Alexander	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Geymann	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac
Barrow	Guillory, E.	Pitre
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Bowler	Heaton	Richmond
Bruce	Hebert	Ritchie
Bruneau	Hill	Romero
Burrell	Honey	Shepherd
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Kenney	Thompson
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
Dewitt	LaFonta	Triche
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	Wooton
Downs	McDonald	Wright
Total - 84		

**NAYS**

Burns	Robideaux	Waddell
Farrar	Scalise	White
Katz	Schneider	Winston
Lambert	Strain	
Powell, M.	Toomy	
Total - 13		

**ABSENT**

Beard	Faucheux	LaBruzzo
Crowe	Greene	Tucker
Erdey	Kennard	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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### Suspension of the Rules

On motion of Rep. Schneider, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

**HOUSE BILL NO. 821 (Substitute for House Bill No. 129 by Representative Montgomery)—**  
BY REPRESENTATIVES MONTGOMERY, GALLOT, M. GUILLORY, ST. GERMAIN, AND WALSWORTH AND SENATOR N. GAUTREAUX  
AN ACT

To amend and reenact R.S. 13:1899(C), relative to the assessment of costs in criminal cases in city courts; to provide for a more uniform and in some instances an increase in court costs in criminal matters to fund the offices of marshals and constables of the courts; to provide for an exception, and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 821 by Representative Montgomery

#### AMENDMENT NO. 1

On page 1, line 18, before "shall" delete "from which"

#### AMENDMENT NO. 2

On page 3, line 7, following "Year" and before "," delete "and thereafter"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Gallot moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Odinot
Ansardi	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Heaton	Richmond
Bruce	Hebert	Ritchie
Bruneau	Hill	Romero
Burrell	Honey	Schneider
Carter, K.	Hopkins	Shepherd
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaFleur	Townsend
Dewitt	LaFonta	Trahan
Dorsey	Marchand	Triche
Dove	Martiny	Walker
Durand	McDonald	Walsworth
Fannin	McVea	White

Faucheux  
Total - 78

Montgomery

Wooton

#### NAYS

Alexander  
Bowler  
Burns  
Erdey  
Farrar  
Greene  
Katz  
Total - 19

Kennard  
Lambert  
Lancaster  
Morrish  
Powell, M.  
Robideaux  
Scalise

Smiley  
Strain  
Tucker  
Waddell  
Winston

#### ABSENT

Arnold  
Beard  
Crowe  
Total - 8

Doerge  
Downs  
Hammett

LaBruzzo  
Wright

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 490—

BY REPRESENTATIVES WADDELL AND PINAC  
AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to the State Licensing Board for Contractors; to provide for donations to public university foundations by contractors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Waddell sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Waddell, Hutter, and Toomy to Engrossed House Bill No. 490 by Representative Waddell

#### AMENDMENT NO. 1

On page 1, line 3, after "university" insert "community college"

#### AMENDMENT NO. 2

On page 1, line 13, after "university" and before "foundation" insert "or community college"

#### AMENDMENT NO. 3

On page 1, line 20, after "university" and before "foundation" insert "or community college"

On motion of Rep. Waddell, the amendments were adopted.

Rep. Waddell moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker

Frith

Morrell



Alario	Gallot	Morrish
Alexander	Geymann	Odinot
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	Strain
Cravins	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
Dewitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Erdey	Martiny	Winston
Fannin	McDonald	Wooton
Farrar	McVea	Wright
Faucheux	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Bruce	Richmond	St. Germain
Crowe	Shepherd	
Durand	Smith, G.	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Waddell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Speaker Salter in the Chair

### Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

#### HOUSE BILL NO. 844— BY REPRESENTATIVE M. GUILLORY AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Tammy Deshotel v. State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 845—

BY REPRESENTATIVES JOHN SMITH AND HILL  
AN ACT

To enact R.S. 47:1903.4, relative to the imposition of fees to derive funds for the operation and maintenance of the office of the assessor; to authorize certain assessors to impose a conveyance fee as an optional method for defraying the cost of operations of the office; to provide for the collection of the fee; to provide for the use of the monies collected; to provide for an effective date; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 846—

BY REPRESENTATIVES DARTEZ AND THOMPSON  
AN ACT

To enact Subpart Z of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.93 and 120.94, relative to the Renewal Community Program; to impose a fee on certain taxpayers who receive a federal income tax credit related to the Renewal Community Program; to provide for collection, dedication, and disposition of fees; to establish the Renewal Community Fund as a special fund in the state treasury; to provide for deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 847—

BY REPRESENTATIVE DEWITT  
AN ACT

To enact Part V of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:701 through 704, relative to the levy and collection of state taxes; to provide for the levy, collection, and administration of a tax on the refining of crude oil; to provide for definitions; to provide for certain exemptions and limitations; to provide for the effectiveness of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 848—

BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 40:1142(F), relative to certification fees assessed operators of water supply and sewerage systems; to provide for fees for issuance and renewals of certificates; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 849—

BY REPRESENTATIVES GRAY AND DURAND AND SENATORS HINES, MCPHERSON, AND SCHEDLER  
AN ACT

To enact R.S. 47:1070, relative to the telecommunications fee; to levy a fee on landline exchange telephone service and wireless telephone or telecommunications service; to create the LERN Fund as a special fund in the state treasury; to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 850—

BY REPRESENTATIVE CROWE  
AN ACT

To enact R.S. 47:301(7)(j), relative to state sales and use taxes; to provide a definitional exclusion for certain hovercrafts used in mineral production; to provide for an effective date; and to provide for related matters.

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Read by title.

### **HOUSE BILL NO. 851—** BY REPRESENTATIVE HEBERT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Harry A. LeBlanc v. W. J. Trappey, Sr."; to provide for costs; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 852—** BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:1177(A)(2) and (3), relative to the Public Service Commission; to provide for inspection and supervision fees; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 853—** BY REPRESENTATIVE HUTTER

AN ACT

To enact Chapter 13-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.91, relative to St. Bernard Parish; to create the St. Bernard Parish Housing, Redevelopment and Quality of Life Commission; to provide for the formation of a program by St. Bernard Parish for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas in accordance with redevelopment plans or projects approved by the local governing body; to define the duties, liabilities, authority, and functions of such redevelopment commission, including the acquisition of property by purchase, gift, expropriation, or otherwise; to authorize the commission to levy and collect ad valorem and sales and use taxes, subject to voter approval; to dispose of property by sale or lease; to issue bonds, borrow money, and give security therefor; to provide for notice and hearing; to enter into agreements to secure federal aid; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; to provide for tax exemptions; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 854—** BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:4307, relative to tax exemptions; to provide tax exemptions for certain manufacturers; to provide incentives for electronic manufacturing companies; to provide for definitions; to authorize the secretary of the Department of Economic Development to enter into certain contracts, subject to approval; to provide for requirements for entering into certain contracts of exemption; to provide for criteria for exemption; to authorize the secretary of the department to promulgate certain rules and regulations; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 855—** BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:470, relative to imposition of the vehicle registration license fee or tax; to provide for additional vehicle license fees or taxes; to provide for the disposition of the proceeds from the additional taxes; to provide for an effective date; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 856—** BY REPRESENTATIVE FARRAR

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Betty Washington, on behalf of Anthony Currington v. State of Louisiana, Department of Transportation and Development, et al."; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 857—** BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 47:301(24)(c), relative to the state and local sales and use tax; to provide for an exclusion for certain costs of certain publishing businesses; to provide for an effective date; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 858—** BY REPRESENTATIVE SALTER

AN ACT

To appropriate funds for the fiscal year 2005 - 2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

### **HOUSE BILL NO. 859—** BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 860—** BY REPRESENTATIVE BEARD

AN ACT

To amend and reenact R.S. 47:305.31(C) and (E) and to enact R.S. 47:305.31(F), relative to the sales and use tax; to provide for a sales and use tax exclusion for certain alternate fuels; to provide for an effective date; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 861—** BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 47:6020, relative to state tax incentives; to provide for a tax exemption or credit from the income tax, the corporate franchise tax, and other taxes directly imposed by the state on biomedical manufacturing companies; to provide for an effective date; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 862—** BY REPRESENTATIVE BURRELL

AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization;

to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 863—**

BY REPRESENTATIVE BADON AND SENATOR DUPLESSIS  
AN ACT

To enact R.S. 45:844.9, relative to wireless telephone contracts; to provide for a fee on service administered in new wireless telephone contracts; to create the "new wireless telephone service" fund; to provide for the dedication and deposit of the monies into certain funds; to provide for an effective date; and to provide for related matters.

Read by title.

**Recess**

On motion of Rep. Dorsey, the Speaker declared the House at recess until 5:25 P.M.

**After Recess**

**Acting Speaker Tucker in the Chair**

Acting Speaker Tucker called the House to order at 5:25 P.M.

**House Business Resumed**

**Introduction of House Bills  
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

**HOUSE BILL NO. 864—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 17:3351.3(B)(1), relative to an academic excellence fee at Louisiana State University and Agricultural and Mechanical College located in Baton Rouge; to provide for the powers and duties of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College relative to the fee amount, including but not limited to proration of such amount; to provide an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 865—**

BY REPRESENTATIVE ALARIO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay the consent judgment in the suit entitled "Frank J. Malinda v. Creekwood Mark Twain II Limited Partnership, State National Insurance Company and XYZ Insurance Company"; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 866—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 47:1851(B) and (M), relative to the assessment of public service properties for ad valorem tax purposes; to include other water transportation companies in the

definition of public service properties; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 867—**

BY REPRESENTATIVE LABRUZZO  
AN ACT

To enact R.S. 47:305.52, relative to state and local sales and use tax; to provide for an exemption for motor vehicles purchased and titled in another state; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 868—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Social Services to provide for reimbursement of legal expenses of Andrew Mata; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 869—**

BY REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 3:2804(B) and 3004(B), relative to fees paid to law enforcement officials for securing livestock; to provide for increases and additional fees for such service; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVE GRAY  
AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 871—**

BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:297.4(A), relative to certain child care expenses; to authorize a claim without regards to whether a federal credit is claimed; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 872—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact Section 2 of Act No. 3 of the 2002 First Extraordinary Session of the Legislature; relative to the state sales and use tax; to extend the termination date of an exclusion for biotechnology companies; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 873—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 47:302(D), relative to state and local sales and use taxes; to exempt direct mail advertising from the tax; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 874—**

BY REPRESENTATIVE SHEPHERD  
AN ACT

To amend and reenact R.S. 47:844(C), relative to fees and taxes on tobacco tax; to provide for an increase in certain fees and taxes; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 875—**

BY REPRESENTATIVE SHEPHERD  
AN ACT

To amend and reenact R.S. 47:844(C), relative to fees and taxes on tobacco tax; to provide for an increase in certain fees and taxes; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 876—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 40:2116.35(A), to enact R.S. 40:2116.35(C), (D), and (E), to repeal R.S. 40:2116.32(F), relative to the assessment of a fee on the provision of home health care; to revise the service area for licensure of a home health care provider; to repeal the moratorium on the licensing of home health care agencies; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 877—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Read by title.

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**Motion**

On motion of Rep. Pierre, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 785.

**HOUSE BILL NO. 785—**

BY REPRESENTATIVE PIERRE  
AN ACT

To enact R.S. 9:2792.10, relative to malpractice; to provide a limitation of liability for non-profit attorney referral services; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Pierre, the bill was withdrawn from the files of the House.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 5, by Baudoin  
Reported favorably. (11-0) (Regular)

House Bill No. 9, by Daniel  
Reported favorably. (12-0) (Regular)

House Bill No. 13, by Martiny  
Reported favorably. (12-0) (Regular)

House Bill No. 29, by LaFleur  
Reported favorably. (11-0) (Regular)

House Bill No. 55, by Kleckley  
Reported favorably. (10-0) (Regular)

House Bill No. 106, by Smith, Jane  
Reported favorably. (10-1) (Regular)

House Bill No. 127, by Frith  
Reported with amendments. (9-0) (Regular)

House Bill No. 272, by Baldone  
Reported with amendments. (12-0) (Regular)

House Bill No. 289, by Hopkins  
Reported with amendments. (9-0) (Regular)

House Bill No. 453, by Martiny  
Reported with amendments. (10-0) (Regular)

House Bill No. 544, by Schneider  
Reported favorably. (11-0) (Regular)

House Bill No. 756, by Daniel  
Reported favorably. (11-0) (Regular)

House Bill No. 767, by Glover  
Reported favorably. (12-0) (Regular)

House Bill No. 768, by Pierre  
Reported favorably. (11-0) (Regular)

DANIEL MARTINY  
Chairman

**Report of the Committee on Education**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Bill No. 434, by Crane  
Reported with amendments. (16-0) (Regular)

House Bill No. 677, by Crane  
Reported with amendments. (12-2) (Regular)

House Bill No. 775, by Barrow  
Reported with amendments. (16-0) (Regular)

CARL CRANE  
Chairman

**Report of the Committee on Health and Welfare**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 21, by Walker  
Reported with amendments. (11-0)

House Bill No. 33, by Montgomery  
Reported with amendments. (10-0) (Regular)

House Bill No. 67, by Walker  
Reported with amendments. (13-0) (Regular)

House Bill No. 72, by Bruce  
Reported with amendments. (10-0) (Regular)

House Bill No. 341, by Winston  
Reported favorably. (10-0) (Regular)

House Bill No. 528, by Doerge  
Reported with amendments. (10-0) (Regular)

House Bill No. 558, by LaBruzzo  
Reported with amendments. (8-6) (Regular)

House Bill No. 609, by Durand  
Reported favorably. (11-0) (Regular)

House Bill No. 697, by M. Guillory  
Reported with amendments. (16-0) (Regular)

SYDNIE MAE DURAND  
Chairman

**Report of the Committee on  
House and Governmental Affairs**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 3, by Schneider  
Reported with amendments. (8-0)

House Concurrent Resolution No. 4, by Schneider  
Reported with amendments. (9-0)

House Concurrent Resolution No. 53, by Smiley  
Reported favorably. (8-0)

House Bill No. 157, by Pitre (Joint Resolution)  
Reported favorably. (9-0)

House Bill No. 365, by Dorsey  
Reported favorably. (9-0) (Regular)

House Bill No. 386, by Smiley  
Reported favorably. (8-0) (Regular)

House Bill No. 406, by Lambert  
Reported favorably. (8-0) (Regular)

House Bill No. 423, by Bruneau  
Reported with amendments. (9-0) (Regular)

House Bill No. 793, by Townsend  
Reported with amendments. (6-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Insurance**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Bill No. 402, by Erdey  
Reported with amendments. (13-0) (Regular)

House Bill No. 638, by Kleckley  
Reported favorably. (13-0) (Regular)

KAREN CARTER  
Chair

**Report of the Committee on Natural Resources**

May 4, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources to submit the following report:

House Bill No. 100, by Fannin  
Reported with amendments. (10-0) (Regular)

House Bill No. 243, by Quezaire  
Reported with amendments. (11-0) (Regular)

House Bill No. 331, by Hill  
Reported favorably. (11-0) (Regular)

House Bill No. 344, by McVea  
Reported favorably. (10-0) (Regular)

House Bill No. 349, by Bowler  
Reported with amendments. (11-0) (Regular)

House Bill No. 475, by St. Germain  
Reported with amendments. (10-0) (Regular)

House Bill No. 494, by St. Germain  
Reported with amendments. (10-0) (Regular)

House Bill No. 515, by Pierre  
Reported favorably. (11-0) (Regular)

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House Bill No. 548, by Thompson  
Reported favorably. (10-0) (Regular)

House Bill No. 630, by Hebert  
Reported with amendments. (10-0) (Regular)

WILFRED PIERRE  
Chairman

## Petitions, Memorials and Communications

The following petitions, memorials, and communications were  
received and read:

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 4, 2005

To the Honorable Speaker and Members of the House of  
Representatives:

I am directed to inform your honorable body that the Senate has  
adopted and asks your concurrence in the following Senate  
Concurrent Resolutions:

Senate Concurrent Resolution Nos. 23, 38, and 39

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### SENATE BILLS

May 4, 2005

To the Honorable Speaker and Members of the House of  
Representatives:

I am directed to inform your honorable body that the Senate has  
finally passed the following Senate Bills:

Senate Bill Nos. 19, 45, 65, 79, 129, 137, 218, 224, 236, 239, 249  
and 251

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Morrish, the rules were suspended in order  
to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading  
were taken up, read, and placed upon the calendar for their second  
reading:

#### SENATE BILL NO. 19—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(xiii) and to enact R.S.  
17:3048.1(A)(1)(e)(xiv), relative to the Louisiana Tuition  
Opportunity Program for Students curriculum; to specify the  
subjects in the core curriculum available as an elective in the  
subjects of math and science for receipt of a program award for  
students graduating during or after a specified school year; and  
to provide for related matters.

Read by title.

#### SENATE BILL NO. 45—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 33:4754(C)(1)(a), relative to liens for  
removal and securing dangerous structures by certain parishes  
and municipalities; to include the Terrebonne Parish assessor  
within the definition of "equivalent officer" for the purposes of  
certain actions; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 65—

BY SENATOR KOSTELKA

AN ACT

To enact R.S. 17:85.11, relative to powers and duties of school  
boards; to authorize the Ouachita Parish School Board to name  
an athletic facility at the former Calhoun High School in honor  
of Jerry Lee Lovett, Sr.; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 79—

BY SENATOR DUPRE

AN ACT

To enact R.S. 33:9356, relative to veterans' memorial districts; to  
provide relative to the Veterans' Memorial District of Ward 10  
of Lafourche Parish; to provide for a board of commissioners;  
to provide relative to board membership, composition, selection,  
powers and duties, and to provide for related matters.

Read by title.

#### SENATE BILL NO. 129—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3095(A)(1)(b) and (2) and to enact  
R.S. 17:3095(A)(1)(c) and R.S. 47:293(6)(a)(viii) and 1205(D),  
relative to enhancements to the Louisiana Student Tuition  
Assistance and Revenue Trust Program; to increase the taxable  
state income exclusion for married couples; to allow certain  
deposits over five years to be excluded from the state gift tax  
provisions so as to conform with the federal gift tax provisions;  
to provide with regard to the disbursement of funds from  
accounts established pursuant to such program; and to provide  
for related matters.

Read by title.

#### SENATE BILL NO. 137—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 22:1265(D) and R.S. 33:1359(F), relative to certain  
premium taxes paid on excess insurance premiums; to exempt  
premiums paid by certain interlocal risk management agencies;  
and to provide for related matters.

Read by title.

**SENATE BILL NO. 218—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact R.S. 39:330(B)(3) and (4) and to enact R.S. 39:330(B)(5) and 330.4, relative to property control; to provide for the acquisition of surplus computer equipment by certain public educational institutions; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 224—**

BY SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

Read by title.

**SENATE BILL NO. 236—**

BY SENATOR ULLO AND REPRESENTATIVE CRANE

**AN ACT**

To enact R.S. 17:7.1(B)(3) and (4), relative to certification of principals; to provide for experience requirements; to provide for exceptions and recommendation requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 239—**

BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 17:24.10 and 3995(C), relative to charter schools; to authorize all types of charter schools to apply directly to the state Department of Education to participate in the LA 4 program; to provide with regard to the compliance of a charter school with the terms of a grant; and to provide for related matters.

Read by title.

**SENATE BILL NO. 249—**

BY SENATORS MOUNT AND THEUNISSEN

**AN ACT**

To authorize and provide for the transfer of certain immovable property located in Calcasieu Parish from the Chenault International Airport Authority to the Board of Supervisors of Community and Technical Colleges, for the use and benefit of its Sowela Campus, in exchange for forgiveness of a certain debt owed by the authority to the state of Louisiana; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 251—**

BY SENATORS MALONE AND SMITH

**AN ACT**

To enact Part 6 of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:216, relative to mineral rights and interests; to provide relative to certain unsolicited offers for lease or purchase of mineral rights or interests; to provide certain terms, conditions, requirements, and effects of such unsolicited offers; and to provide for related matters.

Read by title.

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 4, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 29, 30, 31, 33, 34, and 37

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Privileged Report of the Committee on Enrollment**

May 4, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 17—**

BY REPRESENTATIVE HUNTER

**A RESOLUTION**

To commend Mr. and Mrs. S. O. McHenry for sixty-five years of marriage and for the example their lives have provided to their family and community.

**HOUSE RESOLUTION NO. 18—**

BY REPRESENTATIVE GRAY

**A RESOLUTION**

To recognize Wednesday, May 4, 2005, as Red and White Day at the Louisiana House of Representatives and to commend the women of Delta Sigma Theta Sorority, Inc.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

May 4, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

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### HOUSE CONCURRENT RESOLUTION NO. 78—

BY REPRESENTATIVES ANSARDI, ALARIO, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, PITRE, SCALISE, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND SENATORS HEITMEIER, JACKSON, LENTINI, AND ULLO

#### A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Alie McGee and the enduring gratitude of the members for his accomplishments and contributions to Jefferson Parish and the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### Adjournment

On motion of Rep. Kenney, at 5:30 P.M., the House agreed to adjourn until Thursday, May 5, 2005, at 2:00 P.M.

The Acting Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, May 5, 2005.

ALFRED W. SPEER  
Clerk of the House

### Committee Meeting Notices

#### Committee on Labor and Industrial Relations

Will meet at: 9:30 A.M. Date: May 5, 2005

Location: Committee Room 5

**HB 610 GRAY UNEMPLOYMENT COMP** Provides unemployment compensation benefits to victims of domestic abuse

WILLIE HUNTER  
Chairman

#### Committee on Municipal, Parochial and Cultural Affairs

Will meet at: 9:30 A.M. Date: May 5, 2005

Location: Committee Room 6

**HB 137 BRUNEAU DISTRICTS/CRIME PREVENT** Provides for a change in the amount and term of the parcel fee levied for the Lakeview Crime Prevention District with voter approval

**HB 145 THOMPSON DISTRICTS/RAILROAD** Changes authorized boundaries of railroad development districts and maximum rate of ad valorem tax levied by such districts

**HB 189 GUILLORY, E. GAMBLING/RIVERBOAT** Provides for the assessment of fees on riverboats located in Calcasieu Parish

**HB 253 BURNS PARKS** Authorizes the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes

**HB 280 GALLOT DISTRICTS/WATERSHED** Provides relative to the Claiborne Parish Watershed District

**HB 310 LAFLEUR DISTRICTS/RECREATION** Provides with respect to the Evangeline-Ville Platte Recreation District board of commissioners

**HB 312 GLOVER MUSEUMS** Creates the Spring Street Historical Museum in the Department of State

**HB 376 SALTER DISTRICTS/WATERWORKS** Provides relative to the procedures for consolidating certain waterworks districts in Sabine Parish

**HB 452 DOERGE DISTRICTS/SPECIAL** Provides with respect to the residency requirements for board members of certain fire protection districts

**HB 512 GUILLORY, E. GAMING/REVENUE** Creates and provides relative to the Calcasieu Parish Gaming Revenue District

**HB 586 JEFFERSON DISTRICTS/REDEVELOPMENT** Provides relative to the New Orleans Community Improvement Act

ERNEST BAYLOR, JR.  
Chairman

### Weekly Committee Schedules

The following committees posted weekly committee schedules as follows:

#### Committee on Appropriations

**Monday, May 9, 2005**  
**Committee Room No. 5**  
**9:30 A.M.**

#### INSTRUMENTS TO BE HEARD:

**HB 1 ALARIO APPROPRIATIONS** Provides for the ordinary operating expenses of state government

**Tuesday, May 10, 2005**  
**9:30 A.M.**

#### INSTRUMENTS TO BE HEARD:

**HB 1 ALARIO APPROPRIATIONS** Provides for the ordinary operating expenses of state government

**HB 60 GALLOT PRESCRIPTION** Excludes claims and judgments arising from delictual actions from the ten-year prescriptive period for payment of claims or debts against the state

**HB 191 MONTGOMERY TAX/GASOLINE TAX** (Constitutional Amendment) Provides for the dedication and use of certain revenues in the Transportation Trust Fund to be used to fund construction of Interstate 49 North and South

**HB 224 DARTEZ FUNDS/FUNDING** Increases the balance in the Dept. of Justice Legal Support Fund dedicated to support the Department of Justice

**HB 268 BURRELL FUNDS/FUNDING** Dedicates a portion of revenues derived from the Pari-mutuel Live Racing



Facility Gaming Control Fund for the Compulsive and Problem Gaming Fund

**HB 347 WADDELL ENVIRONMENT** Provides for payment of a portion of fines and penalties to the parish where environmental violations occurred

**HB 393 BRUNEAU GAMING/REVENUE** Increases the amount of monies dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund from the Pari-mutuel Live Racing Facility Gaming Control Fund

**HB 654 MONTGOMERY BONDS** Authorizes securitization of unclaimed property revenues to provide funds for I-49 North and South projects

JOHN A. ALARIO, JR.  
Chairman

**Committee on Civil Law and Procedure**

**Monday, May 9, 2005**  
**Committee Room No. 2**

**INSTRUMENTS TO BE HEARD:**

**NO MEETING IS SCHEDULED**

**Tuesday, May 10, 2005**  
**10:00 A.M.**

**INSTRUMENTS TO BE HEARD:**

**HB 52 ODINET TAX EXEMPTIONS/HOMESTEAD** (Constitutional Amendment) Removes the prohibition that persons aged sixty-five and older whose adjusted gross income exceeds fifty thousand dollars, as adjusted annually by the Consumer Price Index, cannot receive a special assessment of residential property (*Technical Review Only*)

**HB 181 PITRE CORPORATIONS** Provides for the recognition of separate legal personalities among affiliated corporations and other business entities

**HB 187 ARNOLD TAX/AD VALOREM-EXEMPTION** (Constitutional Amendment) Removes prohibition against extending exemption for motor vehicles to municipal taxes (*Technical Review Only*)

**HB 214 GALLOT RECORDS/RECORDATION** Provides for the recordation of documents in the mortgage and conveyance records

**HB 257 JOHNS MALPRACTICE/MEDICAL** Revises definitions under the state and private medical malpractice acts

**HB 281 ANSARDI EVIDENCE** Provides for admissibility of state police crime lab BAC test results in civil cases

**HB 308 BOWLER PRESCRIPTION** Provides for the application of conflict of laws

**HB 353 WALKER MALPRACTICE/MEDICAL** Removes the 180-day time period limitation for rendering medical review panel opinions

**HB 419 CARTER, K. TAX/AD VALOREM-EXEMPTION** (Constitutional Amendment) Exempts from property tax works of art on consignment (*Technical Review Only*)

**HB 465 BALDONE MORTGAGES** Provides for inclusion of the minor's date of birth in the special mortgage given by the tutor

**HB 485 WALKER MALPRACTICE/MEDICAL** Provides for the confidentiality of risk management information in medical malpractice cases

**HB 785 PIERRE LIABILITY/CIVIL** Provides for liability of non-profit organizations that make referrals

GLENN ANSARDI  
Chairman

**Committee on Commerce**

**Monday, May 9, 2005**  
**Committee Room No. 1**  
**9:30 A.M.**

**INSTRUMENTS TO BE HEARD:**

**HB 6 SMITH, GARY MILITARY AFFAIRS** Provides with respect to cellular phone contracts of military personnel called to active duty

**HB 183 DANIEL COMMERCE** Prohibits the unfair sale of motor fuel

**HB 320 MARCHAND COSMETOLOGY** Provides with respect to the composition of the Louisiana Cosmetology Board

**HB 361 FAUCHEUX UTILITIES** Requires participation in regional notification center by municipalities and parish governments

**HB 449 KENNEY ECONOMIC DEVELOPMENT** Creates the Louisiana Value-added Manufacturing Authority

**HB 645 ROBIDEAUX CORPORATIONS** Provides for shares without stock certificates

**HB 657 SCHNEIDER COMMERCE** Provides for facilitating the shipping and transportation industries by setting time standards

**HB 690 PINAC COMMERCE** Applies the "Unfair Sales Law" to the retail sale of motor fuel

**HB 710 GREENE PLUMBERS** Provides relative to apprentice plumber programs

**HB 730 SHEPHERD COMMERCE** Requires mattresses and box springs sold in Louisiana to be fire retardant

**HB 763 TOWNSEND COMMERCE** Prohibits the unfair sales of motor fuel

**HB 771 DAMICO AMUSEMENTS** Provides for insurance and reporting requirements for operators of air-supported structures

**Tuesday, May 10, 2005**  
**9:30 A.M.**

**INSTRUMENTS TO BE HEARD:**

**HB 45 WOOTON PRIVATE INVESTIGATORS** Requires private investigators to notify police or sheriff prior to conducting investigation

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- HB 71 BRUCE REAL ESTATE/APPRAISERS** Provides exemption from license requirements for CPA's relative to real estate appraisers
- HB 199 SMILEY MTR VEHICLE/DEALERS** Provides with respect to the area of responsibility, mandatory repurchase, and warranty requirements for marine, motorcycle, all-terrain, and recreational vehicle dealers
- HB 381 JOHNS COMMERCE** Provides exemption from the provisions regulating monopolies for utility companies which are subject to the jurisdiction of certain regulatory commissions
- HB 486 JOHNS FIRE PROTECT/FIRE MARSHAL** Provides for changes to the State Uniform Construction Code
- HB 552 ST. GERMAIN FIRE PROTECT/FIRE MARSHAL** Provides for Commercial Building Energy Conservation Code
- HB 576 LAMBERT ATTORNEYS** Authorizes overdraft notification to the office of disciplinary counsel
- HB 650 ARNOLD MTR VEHICLE/SALES FIN** Provides relative to Louisiana Motor Vehicle Sales Finance Act
- HB 696 PINAC FINANCIAL INSTNS COMM** Provides with respect to Louisiana Deferred Presentment and Small Loan Act
- HB 735 SMILEY AMUSEMENTS/SPORTS** Provides for changes to boxing and wrestling provisions
- HB 738 GUILLORY, M. FINANCIAL INSTNS OFFICE** Provides relative to the consumer credit law

GIL PINAC  
Chairman

### Committee on Environment

**Monday, May 9, 2005**  
**Committee Room No. 4**

#### INSTRUMENTS TO BE HEARD:

**NO MEETING IS SCHEDULED**

**Tuesday, May 10, 2005**  
**9:00 A.M.**

#### INSTRUMENTS TO BE HEARD:

- HB 315 ODINET ENVIRONMENT/AIR** Requires air monitoring of certain air pollutant sources in the parish of St. Bernard
- HB 388 FANNIN WATER/RESOURCES** Provides for declaring areas of groundwater concern
- HB 473 MCDONALD ENVIRONMENT/WASTE TIRES** Provide for fees collected on the sale of tires from salvage yards
- HB 600 MCDONALD ENVIRONMENT/RECYCLING** Provides for the recycling of mercury switches in end-of-life vehicles

- HCR 64 BADON ENVIRONMENT/SOLID WASTE** Requests the Department of Environmental Quality to enforce construction and demolition solid waste regulations

N. J. DAMICO  
Chairman

### Committee on Transportation, Highways and Public Works

**Monday, May 9, 2005**  
**Committee Room No. 3**  
**9:00 A.M.**

#### INSTRUMENTS TO BE HEARD:

- HB 98 WALKER DWI** Provides with respect to refusal to submit to DWI tests
- HB 101 POWELL, T. ALCOHOLIC BEVERAGES** Requires driver's license suspension for offenses involving unlawful purchase or possession of alcoholic beverages
- HB 123 DOWNS WATERWAYS/RESERVOIRS** Creates the Lincoln Parish Reservoir Authority
- HB 141 WALKER MTR VEHICLE/REGISTRATION** Provides relative to registration and licensing of certain farm vehicles
- HB 174 MONTGOMERY PURCHASING/PUB BID LAW** Increases the contract limit on certain contracts let by the Bossier Parish Police Jury from \$100,000 to \$150,000
- HB 219 ARNOLD MTR VEHICLE/OFFICE** Authorizes an increase in service and transaction fees that fund the office of motor vehicles field offices
- HB 236 MORRELL MTR VEHICLE/DRIVER LIC** Provides relative to requirement that OMV register certain persons with the federal Selective Service System
- HB 372 QUEZAIRE MTR VEHICLE/WEIGHT REGS** Provides relative to exceptions to the assessment of penalties for certain overweight and over-axle violations
- HB 620 BEARD FUNDS/TRANSPORT TRUST** (Constitutional Amendment) Provides for state transportation infrastructure programs supported by the Transportation Trust Fund
- HB 661 BEARD TRANSPORTATION** Provides for the program for construction of state transportation infrastructure
- HB 669 MCVEA BOARDS/COMMISSIONS** Creates the West Feliciana Parish Port Commission
- HB 676 POWELL, M. FUNDS/TRANSPORT TRUST** Provides relative to funding the completion of I-49 North
- HB 698 SHEPHERD WATER/SEWER OPERATORS** Requires political subdivisions responsible for drainage to develop a formula for equitable expenditure of monies
- HB 717 MCDONALD DISTRICTS/SPECIAL** Creates the Bayou Desiard Lake Restoration Commission

**Tuesday, May 10, 2005**  
**9:00 A.M.**

#### INSTRUMENTS TO BE HEARD:

- HR 13 PITRE HIGHWAYS** Urges and Requests the Department of Transportation and Development to grant permission to the Lafourche Parish governing authority to install and maintain flashing red lights at certain intersections in Lafourche Parish
- HCR 31 SMITH, JANE MTR VEHICLE/DRIVER LIC** Directs OMV to inform applicants for issuance and renewal of drivers' licenses of the anatomical gift donor and living will designations on the reverse side of the license
- HCR 56 HILL HIGHWAYS** Urges and requests the Department of Transportation and Development to designate a portion of La. Hwy. 10 in Oakdale, Louisiana, as the "Dr. George B. Mowad Memorial Highway"
- HCR 58 MONTGOMERY MTR VEHICLE/OFFICE** Urges and requests the office of motor vehicles to inform applicants for issuance and renewal of drivers' licenses of the availability of forms to make declarations concerning life-sustaining procedures
- HCR 65 SMITH, JACK RANSPORTATION DEPT** Directs the Department of Transportation and Development to install a traffic signal at the intersection of Railroad Avenue and US Highway 90 in Patterson, La.
- HB 269 BAYLOR AIRCRAFT/AIRPORTS** Increases the maximum extension of the primary term of certain airport leases
- HB 270 ANSARDI MTR VEHICLE/DRIVER LIC** Authorizes the issuance of temporary permits electronically under certain circumstances
- HB 294 TOWNSEND PUBLIC CONTRACT/BIDS** Authorizes the Natchitoches Regional Airport to lease certain airport property without advertisement or competitive bidding
- HB 307 FAUCHEUX LEVEES/PONTCHARTRAIN** Provides relative to the powers of the Pontchartrain Levee District
- HB 346 JEFFERSON MTR VEHICLE/REGISTRATION** Provides with respect to qualifications for motor vehicle registration
- HB 362 QUEZAIRE LEVEES/BDS & DISTRICTS** Authorizes the Lafourche Basin Levee District to contract for certain law enforcement services
- HB 509 TRICHE MTR VEHICLE/VIOLETIONS** Provides relative to violations on an individual's official operating record
- HB 671 SCHNEIDER MTR VEHICLE/VIOLETIONS** Provides relative to violations on an individual's official operating record
- HB 778 HEATON PUBLIC CONTRACT/BIDS** Exempts certain airport property leases from public lease laws

ROY QUEZAIRE  
Chairman

**Committee on Ways and Means**

**Monday, May 9, 2005**  
**Committee Room No. 6**  
**10:00 A.M.**

**INSTRUMENTS TO BE HEARD:**

- HB 130 HAMMETT TAX/CORP INCOME** Provides for certain organizations to elect out of partnership treatment
- HB 211 HAMMETT TAX/INCOME-INDIV/EXEMPT** Extends income tax exemption for active military through taxable years ending prior to January 1, 2007
- HB 262 MARCHAND TAX/TAXATION** Authorizes income tax credits for certain brownfields investments
- HB 436 HAMMETT TAX** Levies an additional alcoholic beverage tax
- HB 437 HAMMETT TAX/TOBACCO TAX** Increases tax on cigarettes by fifty cents a pack
- HB 502 HAMMETT TAX/GAMING** Increases taxes levied against video poker net device revenue
- HB 608 HAMMETT TAX/TOBACCO TAX** Increases tax on various forms of tobacco
- HB 672 MONTGOMERY TAX/SEVERANCE TAX** Provides relative to oil and gas severance tax
- HB 718 BURNS TAX/SEVERANCE TAX** Provides relative to furnishing of tax information to certain state agencies
- HB 721 BURNS TAX/INCOME TAX** Provides relative to the assessment of interest on unpaid income tax that interest shall be assessed for any fraction of a month
- HB 742 CARTER, K. DISTRICTS/SPECIAL** Creates the Greater New Orleans Health and Biosciences Economic Development District
- HB 810 CARTER, K. TAX/TOBACCO TAX** Increases tax on various forms of tobacco and dedicates proceeds thereof
- HB 814 DAMICO TAX CREDITS** Authorizes income tax credits for certain brownfields investments

**Tuesday, May 10, 2005**  
**9:30 A.M.**

**INSTRUMENTS TO BE HEARD:**

- HB 74 SALTER TAX/INSURANCE PREMIUM** Increases the fire insurance premium tax dedicated to the LSU Fire and Emergency Training Institute
- HB 78 LAFLEUR TAX/TAXATION** Exempts repairs of certain rail rolling stock used in interstate commerce
- HB 90 BRUNEAU TAX/SALES & USE** Provides that certain Mardi Gras activities are not taxable under state and local sales and use taxes
- HB 303 HAMMETT TAX/TAXATION** Authorizes an income or corporation franchise tax for ad valorem taxes paid for certain natural gas
- HB 304 HAMMETT TAX/SALES-USE, STATE** Excludes purchases of certain natural gas
- HB 599 HAMMETT TAX/GASOLINE TAX** Provides relative to the collection of tax on motor fuels in certain circumstances

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**HB 679 HAMMETT TAX/CORP INCOME** Enact Louisiana Headquarters and Growth Act

**HB 684 HAMMETT TAX CREDITS** Provides a research and development tax credit to certain taxpayers

**HB 747 HAMMETT TAX/SALES & USE** Establishes sales price of refinery gas sold to another person

**HB 786 SALTER SMALL BUSINESS** Provides relative to the Louisiana Community Development Financial Institution Act

**HB 795 HAMMETT TAX** Provides relative to exemptions for industry

BRYANT O. HAMMETT, JR.  
Chairman

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.